

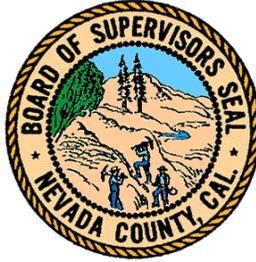
# COUNTY OF NEVADA

## STATE OF CALIFORNIA

*Heidi Hall, 1st District (Chair)*  
*Ed Scofield, 2nd District*  
*Dan Miller, 3rd District (Vice-Chair)*  
*Susan Hoek, 4th District*  
*Richard Anderson, 5th District*

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*Julie Patterson Hunter, Clerk of the Board*  
*Alison Lehman, County Executive Officer*  
*Katharine L. Elliott, County Counsel*



## BOARD OF SUPERVISORS

950 Maidu Avenue  
Nevada City, CA 95959-8617  
(530) 265-1480  
Fax: (530) 265-9836  
bdofsupervisors@co.nevada.ca.us

## AGENDA

<u>Date</u>	<u>Time</u>	<u>Location</u>
<b>Tuesday, December 15, 2020</b>	<b>9:00 AM</b>	<b>Board Chambers, First Floor Eric Rood Administrative Center 950 Maidu Avenue Nevada City, California</b>

**The Board of Supervisors welcomes you to their regular meeting.**

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Pursuant to Governor Gavin Newsom's Executive Order pertaining to the convening of public meetings in response to the COVID-19 pandemic, the County of Nevada will hold its regularly scheduled meeting of the Board of Supervisors remotely due to the dramatic increase of new cases resulting in a County-wide Stay-At-Home order. This meeting is broadcast live on Nevada County Media Channel 17 in the Western County and on Suddenlink Channel 78 in the Eastern County, and can be viewed live through the web at <https://nevco.legistar.com/Calendar.aspx>. Closed Captioning is available for hearing impaired viewers.

Members of the public who are unable to view the meeting on television or through the web may call 1 (415) 655-0001 to listen to the meeting live. You will be prompted to provide Meeting ID# 126-121-8311 & Password# 33998464.

Public comment for items not on the agenda will be taken following adoption of the Consent Calendar, or as soon thereafter as possible. Please refer to Pages #13 and #14 for information on how to participate in the meeting, as well as options being made available for members of the public to provide comment in both Western and Eastern County.

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The meeting room is accessible to people with disabilities. Anyone requiring reasonable accommodation to participate in the meeting should contact the Clerk of the Board's office by calling (530) 265-1480 at least four days prior to the meeting. (TTY/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.)

This agenda and certain supporting documents may be obtained at <https://nevco.legistar.com/Calendar.aspx>. To view the supporting documents on this agenda for a particular item, click on the SR number to the left of the item. Please note that the on-line agenda may not include all related or updated documents. Proposed actions and supporting documents are considered draft until acted upon by the Board. All items listed on the agenda may be acted upon by the Board of Supervisors.

**REGULAR MEETING: 9:00 AM****STANDING ORDERS:**

Call the meeting to order.

Pledge of Allegiance.

Corrections and/or deletions to agenda.

Moment of silence in honor of Nevada County resident Brigadier General Charles “Chuck” Yeager, the first man to break the sound barrier.

**INDIVIDUAL BOARD MEMBER ITEMS:****Supervisor Dan Miller, District III**

1. [SR 20-3650](#) Certificate of Recognition for City of Grass Valley Mayor and City Council Member Lisa Swarthout, recognizing her for 16 years of dedicated service to the citizens of Grass Valley and Nevada County.

**Supervisor Heidi Hall, District I**

2. [SR 20-3628](#) Certificate of Recognition for District V Supervisor Richard Anderson for 8 years of dedicated service as Nevada County District V Supervisor and more than 8 years of public service on the Truckee Town Council before that, for a total of 16 years of public service as an elected official.

**CONSENT CALENDAR:**

*These items are expected to be routine and noncontroversial. The Board of Supervisors will act upon them at one time without discussion. Any Board member may request that an item be removed from the consent calendar for discussion. Members of the public wishing to ask questions or hear discussion on items listed under the consent agenda, may raise their concerns prior to, or when the consent agenda is introduced. The Supervisors will take the concerns under consideration and decide if there is adequate reason to remove the item from consent.*

**Health and Human Services Agency Director: Ryan Gruver**

3. [SR 20-3599](#) Resolution approving Amendment One to the Agreement between the County of Nevada and Anthem Blue Cross (“PLAN”) for coordination of services, as a requirement to implement the County’s participation in a Rate Range Intergovernmental Transfer, a revenue agreement whereby Nevada County retroactively receives federal financial participation Medi-Cal funds to cover unreimbursed costs for previously provided, mandated services, for the period July 2019 through December 2020, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Behavioral Health Director: Phebe Bell

4. [SR 20-3587](#) Resolution approving Amendment 1 to the contract between the County of Nevada and California Psychiatric Transitions, Inc. for the provision of Mental Health Rehabilitation Center/Institute for Mental Disease services for mentally disordered persons (Res. 20-238), amending Section 20.3, Audit, and authorizing the Chair of the Board of Supervisors to execute the Amendment.
5. [SR 20-3598](#) Resolution approving Amendment 1 to the Memorandum of Understanding (MOU) between the County of Nevada and County of Yolo, through its Health and Human Services Agency, for the Data Driven Recovery Project focusing on the behavioral health issues of those in the criminal justice system, with available funding in the amount of \$60,000, for the period October 19, 2019 through June 30, 2021, authorizing the County Executive Officer to execute the MOU, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Behavioral Health Department budget. (4/5 affirmative vote required)
6. [SR 20-3623](#) Resolution approving Standard Agreement 20-10190 between the County of Nevada and the State of California, Department of Health Care Services, for the purpose of identifying and providing Drug Medi-Cal Organized Delivery System services for substance use disorder treatment in Nevada County, allowing the Behavioral Health Department to bill the State for up to \$5,000,000 per year for three years, for a potential maximum amount of \$15,000,000, for the period July 1, 2020 through June 30, 2023, and authorizing the Chair of the Board of Supervisors to execute the Agreement.

Director of Social Services: Rachel Roos

7. [SR 20-3600](#) Resolution amending Resolution 20-426, pertaining to the award of Transitional Housing Program Grant funds in the amount of \$8,000, to reflect the 2020 budget year and statutory authority.
8. [SR 20-3611](#) Resolution accepting the award of funding from the California Department of Social Services, Housing and Disability Advocacy Program, in the amount of \$150,000 for Fiscal Year 2020/21 to be used to support operations and integration of the SOARWorks Program into the Nevada County Continuum of Care, upon acceptance through June 30, 2021.
9. [SR 20-3602](#) Resolution approving Amendment 1 to the contract between the County of Nevada and FREED Independent Living Center, dba FREED for funding to administer the SOARWorks Program to eligible clients (Res. 20-293), increasing the maximum contract price from \$100,000 to \$239,764 due to an award of SOARWorks funding from the State Department of Social Services, for the period July 1, 2020 through June 30, 2021, authorizing the Chair of the Board of Supervisors to execute the Amendment, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Social Services budget. (4/5 affirmative vote required)

Child Support Services, Collections, and Housing Director: Mike Dent

10. [SR 20-3601](#) Resolution approving a 2-year Ground Lease Agreement between the County of Nevada and Nevada County Housing Development Corporation, a California Nonprofit Organization, pertaining to County-owned property located at 628 South Auburn St., Grass Valley, CA (APN 029-241-028-000) (Res. 20-466), designated as the location of the proposed HomeKey Interim Housing Complex, authorizing the Chair of the Board of Supervisors to execute the Ground Lease Agreement, and authorizing the Director of Housing and Community Services to sign and/or record any other documents required as part of the Lease Agreement.
11. [SR 20-3567](#) Resolution approving renewal Standard Agreement 21F-4029 between the County of Nevada and the State Department of Community Services and Development (CSD) for funding of 2021 Community Services Block Grant (CSBG) Programs to support services to improve the conditions of low-income residents, in the maximum amount of \$279,667, for the period January 1, 2021 through May 22, 2022, authorizing the Chair of the Board of Supervisors to execute the Agreement, and authorizing the Health and Human Services Agency Director to sign any required documents associated with CSD notifications to allow for receipt of the CSBG funds.

Sheriff-Coroner/Public Administrator: Shannan Moon

12. [SR 20-3603](#) Resolution accepting the award of grant funds in the amount of \$43,427 (Res. 20-167) and approving renewal Agreement G19-03-16-L01 between the County of Nevada and the State of California, Department of Parks and Recreation, pertaining to off-highway vehicle (OHV) patrols, for the project period of November 15, 2020 through November 14, 2021, and authorizing the Nevada County Sheriff to execute the Agreement.
13. [SR 20-3633](#) Resolution authorizing the Nevada County Sheriff to submit an application to the California Department of Parks and Recreation, Division of Boating and Waterways, requesting reimbursement of boating safety enforcement costs in the amount of \$320,478.68, for the period July 1, 2021 to June 30, 2022.
14. [SR 20-3637](#) Resolution approving a renewal contract between the County of Nevada and California Forensic Medical Group, Inc., pertaining to Medical, Mental Health, and Dental Services for the adult correctional facilities in Nevada County, in an amount not to exceed \$13,728,168, for the period January 1, 2021 through June 30, 2024, authorizing the Chair of the Board of Supervisors to execute the contract, and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Medical Correctional budget. (4/5 affirmative vote required)

Clerk-Recorder/Registrar of Voters: Gregory Diaz

15. [SR 20-3619](#) Resolution adopting the Certified Statement of Votes cast at the Presidential General Election on November 3, 2020 with the County of Nevada as certified by the Nevada County Clerk-Recorder/Registrar of Voters.

16. [SR 20-3639](#) Resolution amending Resolution 20-412, requesting the Nevada County Board of Supervisors make Appointments in Lieu of the General Election held on November 3, 2020, revising Exhibit A to include the complete list of all qualified persons to be appointed.

Agricultural Commissioner: Chris de Nijs

17. [SR 20-3634](#) Resolution approving renewal Agreement 20-0172 between the County of Nevada and the California Department of Food and Agriculture pertaining to County Pest Detection/Emergency Projects Trapping services, for a total contract amount not to exceed \$65,732, for the period July 1, 2020 to June 30, 2022, authorizing the Chair of the Board of Supervisors to execute the Agreement, and authorizing the Agricultural Commissioner to execute additional documents necessary for implementation of the Program.

Director of Public Works: Trisha Tillotson

18. [SR 20-3643](#) (Waive further reading/Adopt) An Ordinance amending Section A-II 42.5.1 of Chapter II of the Nevada County Administrative Code, pertaining to Planning Commission Jurisdiction, Powers, and Duties.
19. [SR 20-3621](#) Resolution certifying the County-Maintained Mileage for 2020, for a total of 561.574 miles of maintained County roads. (All Dists.)
20. [SR 20-3615](#) Resolution accepting the Certification of Completion for improvements associated with Higgins Marketplace, Parcel Map 04-020, and authorizing the Clerk of the Board of Supervisors to release the subdivision bonds. (Dist. 2)
21. [SR 20-3622](#) Resolution approving Amendment 4 to the Agreement between the County of Nevada and the Town of Truckee for snow removal services in the Glenshire/Hirschdale Area of Eastern Nevada County (Res. 17-568), for a revised amount not to exceed \$62,734.45 for services provided in the 2019/20 winter season, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Dist. V)
22. [SR 20-3620](#) Resolution approving an amendment to the Finance Letter increasing the preliminary engineering funding to a total amount of \$285,000 for Federal Aid Project Number HSIPL-5917(102) Guardrail Safety Audit Project - County Project No 225035. (Dists. I, II, III, IV and V)

23. [SR 20-3466](#) Resolution approving Summary Vacation (Abandonment) of a portion of the real property and public road right-of-way for Nevada City Highway granted to the County of Nevada by the State of California on April 30, 1968, in that certain Deed in Volume 445 at Page 508, Official Records, while maintaining the overhead and/or underground Public Utility Easement rights, and directing the Clerk of the Board of Supervisors to record the Resolution of Summary Vacation and Grant Deed to Cathy L. Dykstra, Trustee of the Cathy L. Dykstra 2011 Revocable Living Trust dated December 21, 2011 (Assessor's Parcel Number 035-221-010). (Dist. 3)

Director of Human Resources : Steven Rose

24. [SR 20-3596](#) Resolution approving the Group Dental Application and Dental Administrative Services Contract between the County of Nevada and Delta Dental of California to provide dental insurance benefits to eligible enrollees, with dental insurance premiums continuing to be self-funded by the enrollees with the County being responsible for payment of administrative and claim services through Delta Dental at a monthly rate of \$10.02 per ensured enrollee, for the period January 1, 2021 through December 31, 2021, and authorizing the Human Resources Director to execute the contract.
25. [SR 20-3597](#) Resolution approving the Application and Agreement for Vision Care Plan coverage between the County of Nevada and VSP to provide vision insurance benefits to eligible enrollees, with an administrative rate set at \$4.93 per enrollee per month for 2021, for the period January 1, 2021 through December 31, 2025, and authorizing the Human Resources Director to execute the application and all annual renewal documents during the term of the application period.

Chief Information Officer: Stephen Monaghan

26. [SR 20-3590](#) (Waive further reading/Adopt) An Ordinance amending Article 6 of Chapter XVI of the Nevada County Land Use and Development Code to extend the prohibition of outdoor burning during fire season in the Yuba River Corridor as a pilot program until the end of the declared fire season in 2021. (Office of Emergency Services)
27. [SR 20-3577](#) Resolution approving the renewal of the Exclusive Negotiation Agreement between the County of Nevada and Koch & Koch, Inc. for a proposed development at the Nevada County Airport for ramp one aircraft storage hangars, and authorizing the Chair of the Board of Supervisors to execute the Agreement. (Airport)
28. [SR 20-3614](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and George Roofing for the Nevada County Roof Restoration and Replacement Project at Various Locations 2020 for roof restoration at the Madelyn Helling Library located at 980 Helling Way, Nevada City (Res. 20-341), with contract costs totaling \$94,980, and directing the Clerk of the Board of Supervisors to record the Notice in accordance with Civil Code section 9208. (Facilities)

29. [SR 20-3616](#) Resolution approving the Notice of Acceptance and Completion of the contract between the County of Nevada and Pacific Polymers, Inc., dba American Foam Experts for the Nevada County Roof Restoration and Replacement Project at Various Locations 2020 for roof restoration at the Grass Valley Library, located at 207 Mill Street, Grass Valley, and the Truckee Government Center, located at 10075 Levon Avenue. Truckee (Res. 20-342), with contract costs totaling \$150,225 and directing the Clerk of the Board to record the Notice in accordance with Civil Code section 9208. (Facilities)
30. [SR 20-3642](#) Resolution approving Amendment 4 to the Lease Agreement between the County of Nevada and M.K.Blake Estate Company for 20,000 square feet of office space for the Nevada County Health and Human Services Agency at the Brighton Greens Business Park located at 988 McCourtney Road, Grass Valley (Res. 14-545), reflecting a rental rate in the amount of \$1.35 per square foot per month to be adjusted 3% annually, extending the Lease expiration date to January 31, 2031, effective February 1, 2021, and authorizing the Chair of the Board of Supervisors to execute the Amendment. (Facilities)
31. [SR 20-3638](#) Resolution approving a renewal contract between the County of Nevada and PRIDE Industries One, Inc., for janitorial services at various County facilities, in an annual amount of \$250,000, for the period November 1, 2020 through October 31, 2021, authorizing the Chair of the Board of Supervisors to execute the contract, and authorizing the Purchasing Agent to make change orders up to an aggregate increase of ten percent as may be necessary to change the level or schedule of service to meet the needs of the County. (Facilities)

County Counsel: Katharine L. Elliott

- 32a. [SR 20-3645](#) (Waive further reading/Adopt) An Ordinance repealing Articles 22 and 23 of Chapter II of Title 1 of the Administrative Code of the County of Nevada regarding the County's Conflict of Interest Code and the Conflict of Interest Code for the Nevada County Board of Supervisors.
- 32b. [SR 20-3641](#) Resolution approving and adopting a County-wide Conflict of Interest Code, effective January 14, 2021.
33. [SR 20-3625](#) Resolution approving Amendment 4 to contract between the County of Nevada and Angelo, Kilday & Kilduff for the provision of legal services (Res. 18-557), increasing the maximum contract amount to \$150,000, and authorizing the Chair of the Board of Supervisors to execute the Amendment.

Clerk of the Board: Julie Patterson Hunter

34. [SR 20-3591](#) Designation of Supervisor Dan Miller to serve as delegate and Supervisor Sue Hoek to serve as alternate to the Rural County Representatives of California (RCRC) Board of Directors and the Golden State Finance Authority, and designating Supervisor Dan Miller to serve as delegate and David Garcia, Solid Waste Program Manager, to serve as first alternate and Trisha Tillotson, Public Works Director, to serve as second alternate, to the Rural Counties' Environmental Services Joint Powers Authority for 2021.
35. [SR 20-3592](#) Adoption of the Nevada County Assessment Appeals Board Local Rules.
36. [SR 20-3648](#) Resolution to approve reappointment of Ms. Marcia Small as Member to the Kingsbury Greens Community Service District, for a term expiring December 6, 2024.
37. [SR 20-3632](#) Acknowledge Supervisor Anderson's acceptance of resignation from Mr. Ray Butler as District V representative on the Fish and Wildlife Commission. (Dist. V)
38. [SR 20-3646](#) Acknowledge Supervisor Hoek's acceptance of resignation from Mr. Gordon Beatie as a member on the Municipal Advisory Council, Penn Valley Area. (Dist. IV)
39. [SR 20-3608](#) Acknowledge Supervisor Miller's acceptance of resignation from Mr. Paul Aguilar as District III representative on the Planning Commission. (Dist III)
40. [SR 20-3651](#) Appointment of Ms. Donna Tully as a regular/Family member to the Mental Health and Substance Use Advisory Board, for an unexpired term ending June 30, 2022.
41. [SR 20-3593](#) Appointment of Ms. Emily Rivenes as a Public Member for a three-year term ending June 30, 2022, and Ms. Nathalie Ennis as a Consumer Member to fill an unexpired term ending June 30, 2023, to the Nevada-Sierra Connecting Point Public Authority Governing Board.
42. [SR 20-3582](#) Acceptance of Board of Supervisors Summary Minutes for November 10 and 17, 2020.

**PUBLIC COMMENT:**

- [SR 20-3589](#) Members of the public shall be allowed to address the Board on items not appearing on the agenda that are of interest to the public and are within the subject matter jurisdiction of the Board during the meeting by using one of the various options listed on pages #13 and #14.

**\*DEPARTMENT HEAD MATTERS:****Clerk of the Board: Julie Patterson Hunter**

- 43a. [SR 20-3629](#) Resolution amending Resolution 69-102 updating the mission, duties, and function of the Nevada County Historical Landmarks Commission (NCHLC) pertaining to the designation of the County's local Historical Landmarks and Historical Resources, to promote and preserve their historical significance, and approving and ratifying the Restated Bylaws of the NCHLC.
- 43b. [SR 20-3631](#) Resolution designating the McGlashan Butterfly Collection, currently on loan from the McGlashan Family to the Truckee-Donner Historical Society and housed by the Truckee-Donner Recreation and Park District located at 10981 Truckee Way, Truckee, CA 96161, as Nevada County Historical Resource NEV 20-05, and directing the Clerk of the Board of Supervisors to record a certified copy of this Resolution with the Nevada County Clerk-Recorder's office within ten days after the adoption.
- 43c. [SR 20-3635](#) Resolution designating the St. Paul Lutheran Cemetery and Church Site, located at 18936 Saint Paul Place, Grass Valley, CA 95945 (APN 028-191-057), as Nevada County Historical Landmark NEV 20-06, and directing the Clerk of the Board of Supervisors to record a certified copy of this Resolution with the Nevada County Clerk-Recorder's office within ten days after the adoption.

**SCHEДУLED ITEM: 10:30 A.M.****Sheriff-Coroner/Public Administrator: Shannan Moon**

44. [SR 20-3588](#) Public community forum, pursuant to Government Code section 7283.1(d) to provide information to the public about Immigration and Customs Enforcement (ICE) access to individuals and to receive and consider public comment.

**\*DEPARTMENT HEAD MATTERS:****Director of Public Works: Trisha Tillotson**

45. [SR 20-3618](#) Resolution approving a Memorandum of Understanding (MOU) between the County of Nevada and the City of Nevada City to transfer \$500,000 in Rule 20A Credits from Nevada County's Rule 20A credit allocation to Nevada City's Rule 20A credit allocation, and authorizing the County Executive Officer to execute the MOU. (Dist. I)
- 46a. [SR 20-3617](#) Resolution authorizing Environmental Clearance for amendments to Chapter XVII of the Land Use and Development Code, Road Standards, and authorizing amendments to Ordinance sections L-XVII 1.1, L-XVII 1.3, L-XVII 3.4 and L-XVII 3.12 of Chapter XVII of the Land Use and Development Code, Road Standards. (All Dists.)

- 46b. [SR 20-3654](#) (Introduce/Waive further reading) An Ordinance amending sections L-XVII 1.1, L-XVII 1.3, L-XVII 3.4 and L-XVII 3.12 of Chapter XVII of the Land Use and Development Code, pertaining to Road Standards.

**County Executive Officer: Alison Lehman**

47. [SR 20-3660](#) Resolution releasing Economic Development Infrastructure Assignment in the General Fund in the amount of \$100,000 in Fiscal Year 2020/21 to match community donations made through the Nevada County Relief Fund to provide Emergency Relief to support our local small businesses most impacted by the State Regional Stay at Home Order announced December 3, 2020, and Supplemental Order, signed December 6, 2020; authorizing the County Executive Officer to execute related documents; and directing the Auditor-Controller to amend the Fiscal Year 2020/21 Housing and Community Services budget. (4/5 affirmative vote required)

**INDIVIDUAL BOARD MEMBER ITEMS:**

**Supervisors Heidi Hall, District I and Sue Hoek, District IV**

48. [SR 20-3440](#) Resolution recognizing Nevada City Rancheria Nisenan Tribe's historical, cultural and continued significance to Nevada County and California, and supporting the restoration of Federal recognition of the Nevada City Rancheria Nisenan Tribe.

Recess for lunch:

**AFTERNOON SESSION**

**SCHEDULED ITEM: 1:30 P.M.**

**Planning Director: Brian Foss**

49. [SR 20-3607](#) Public hearing to consider the Nevada County Planning Commission's November 12, 2020 recommendation on a 3-1 (1 absent) vote for the Gray General Plan Amendment and Rezone project including: 1) adopt the Negative Declaration (EIS20-0002); 2) Approve the Petition for Exceptions to Driveway Standards (PFX20-0002); 3) approve the General Plan Land Use Designation Map amendment from Public (PUB) to Residential (RES) (GPA20-0002); and 4) approve a Zoning District Map Amendment to rezone the site from Neighborhood Commercial (C1) to Single Family Residential (R1) (RZN20-0003). (Dist. III)
- 49a. [SR 20-3655](#) Resolution adopting a Negative Declaration (EIS20-0002) for the proposed General Plan Land Use (GPA20-0002), Zoning District Map Amendment (RZN20-0002), and Petition for Exceptions (PFX20-0002) for Mr. Ian Gray (Applicant (APN 008-070-034).

- 49b. [SR 20-3656](#) Resolution approving the Petition for Exceptions to the County Driveway Standard (PFX20-0002) to allow for a 15-foot wide driveway easement, associated with the Site Specific General Plan Land Use Map Amendment (GPA20-0002) and Zoning District Map Amendment (RZN20-0003) for property located at 13115 Ridge Road, Grass Valley, California, Assessor's Parcel Number 008-070-034 (Ian Gray, Applicant).
- 49c. [SR 20-3657](#) Resolution amending Nevada County General Plan Land Use Map Designation for Assessor's Parcel Number 008-070-034 from Public (PUB) to Residential (RES) (GPA20-0002).
- 49d. [SR 20-3658](#) (Introduce/Waive further reading/Adopt) An Ordinance amending 1) Zoning District Map 040a, to rezone Assessor's Parcel Number 008-070-034 located at 13115 Ridge Road Grass Valley, California from Neighborhood Commercial (C1) to Single Family Residential (R1) (Ian Gray, Applicant).

**\*DEPARTMENT HEAD MATTERS:**

**Planning Director: Brian Foss**

50. [SR 20-3578](#) Resolution approving the filing of Application(s) for Per Capita Grant funds.

**\*CLOSED SESSIONS:**

[SR 20-3624](#) Pursuant to Government Code section 549569(1), County Counsel is requesting a closed session to discuss the following existing litigation case:  
Brian Chaplin vs. County of Nevada, Nevada County Superior Court, Case No. CU18-083391.

[SR 20-3640](#) Pursuant to Government Code section 54956.9(1), County Counsel is requesting a closed session to discuss the following existing litigation matters: *Order Instituting Rulemaking to Examine Electric Utility De-Energization of Power Lines in Dangerous Conditions*, Public Utilities Commission Rulemaking No. 18-12-05, and *Order Instituting Investigation on the Commission's Own Motion on the Late 2019 Public Safety Power Shutoff Events* Public Utilities Commission Investigation No. I.19-11-013.

**\*ANNOUNCEMENTS:**

*Pursuant to Government Code Section 54954.2, Board members and County Executive Officer may make a brief announcement or brief report on his or her activities. Board members and County Executive Officer may also provide a reference to staff or other resources for factual information, request staff to report back to the Board at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.*

**ADJOURNMENT:**

*\*(The Board of Supervisors can discuss these items at any time during the meeting.)*

*This agenda was posted on bulletin boards 72 hours in advance of the meeting at the following locations:*

- 1. Eric Rood Administrative Center; outside Board office, outside Board Chambers, and outside main entrance.*
- 2. Truckee Joseph Center.*
- 3. Outside the District V Board of Supervisors office.*
- 4. Online at <https://nevco.legistar.com/Calendar.aspx> and <http://www.mynevadacounty.com/boardmeetings>.*

*Posted: December 10, 2020.*

**PERSONS DESIRING TO ADDRESS THE BOARD****CONTROL OF MEETING:**

The Board Chairperson shall first caution any person at the meeting who is abusive, disruptive, or out of order, and then ask that person to leave if the person will not stop; additionally, the Chair reserves the right to recess the meeting until the person leaves or is escorted out and order is restored.

**PUBLIC COMMENT:**

Matters on the Agenda: The Board shall allow public comment on items appearing on the agenda when the agenda item is considered by the Board. The Chair may limit the total amount of time for comment on any agenda item and may limit any individual desiring to address the Board to no less than three (3) minutes. Comments by the public must be relevant to the item on the agenda being considered by the Board.

Matters not on the Agenda: At regular meetings of the Board, members of the public shall be allowed to address the Board of Supervisors on matters not appearing on the agenda which are of interest to the public and which are within the subject matter jurisdiction the Board. Pursuant to the Ralph M. Brown Act, the Board shall not take any action or discuss any matter not appearing on the agenda; although staff may be asked to briefly respond to or follow up on such items. Members of the public wishing to ask questions or hear discussion on items listed under the consent agenda may raise their concerns to the Board members when the consent agenda is introduced. The Supervisors will take the concerns under consideration and decide if there is adequate reason to remove the item from consent.

The Chair of the Board may limit the total amount of time allocated for public comment; provided, however, the Board will allocate at least fifteen (15) minutes for receiving public comment during any Board meeting. The Chair of the Board may limit any individual desiring to address the Board to no less than three (3) minutes. Time to address the Board will be allocated on the basis of the order in which the requests were received.

At special meetings of the Board, public comment will only be allowed on matters appearing on the agenda.

**WAYS TO PARTICIPATE DURING THE DECEMBER 15, 2020 BOARD MEETING:**

- 1) Listen inside the Eric Rood Administrative Center Lobby  
(Masks or face shields are mandatory inside County facilities)
- 2) Listen outside the Eric Rood Administrative Center at the Outside Public Comment Kiosk
- 3) Listen by calling 1 (415) 655-0001 (Meeting ID#: 126-121-8311 and the Password#: 33998464)
- 4) View at [www.mynevadacounty.com/boardmeeting](http://www.mynevadacounty.com/boardmeeting)
- 5) View on Nevada County Media Channel 17 in the Western County
- 6) View on Suddenlink Channel 78 in the Eastern County

**PROVIDE PUBLIC COMMENT BEFORE THE DECEMBER 15, 2020 MEETING BY:**

- 1) Writing a letter to the Board of Supervisors at 950 Maidu Ave, Suite 200, Nevada City, CA 95959
- 2) Emailing [BOS.PublicComment@co.nevada.ca.us](mailto:BOS.PublicComment@co.nevada.ca.us)
- 3) Leaving an eComment at [www.mynevadacounty.com/boardmeetings](http://www.mynevadacounty.com/boardmeetings)

**PROVIDE PUBLIC COMMENT DURING THE DECEMBER 15, 2020 MEETING BY:**

## 1) In-Person:

Eric Rood Administrative Center: Members of the public can provide comment in-person inside the Board of Supervisors' Board Chambers at the Eric Rood Administrative Center. Members of the public will be allowed into the Chambers one-at-a-time. (Masks or face shields are mandatory inside the Board Chambers.)

## 2) Virtual Kiosks:

Eric Rood Administrative Center: Members of the public can provide comment in-person at a virtual public comment kiosk outside at the Eric Rood Administrative Center on the left-side of the front entrance.

Truckee District V Supervisor Office/Sheriff Substation: Members of the public can provide comment in-person at a virtual public comment kiosk inside the Truckee District V Supervisor Office/Sheriff Substation. (Masks or face shields are mandatory inside all County facilities.)

## 3) Over the Phone:

Members of the public can call (530) 270-3474 and will be placed in a call-in queue until they are permitted into the meeting for comment. (Please note that the (415) 655-0001 number is only for listening to the meeting.)

Please provide your name, City or District of residence, and the agenda item you wish to comment on.

**PUBLIC HEARINGS:**

All members of the public shall be allowed to address the Board as to any item which is noticed on the Board's agenda as a public hearing. The Chair of the Board may limit the total amount of time allocated for the public hearing and may limit any individual desiring to address the Board to not less than three (3) minutes. Any person may provide the Board with a written statement in lieu of or in supplement to any oral statement made during a public hearing. Written statements shall be submitted to the Clerk of the Board. Whenever a public hearing is conducted, the public hearing is closed and the matter is continued to a subsequent meeting for Board deliberation and/or action, the Board shall not allow public comment and/or testimony on that item at the subsequent hearing.

However, at the initial public hearing, prior to taking action, the Board may, at its sole discretion, elect to continue the matter and reopen the public hearing. At the subsequent hearing, all information will be considered. The Board may also, at the initial public hearing, prior to taking action, announce that the public hearing is being continued for specific information and the public testimony will only be heard on new information specific to the Board's direction. If, after the public hearing is closed and the Board later decides to reopen the public hearing for public testimony, appropriate notices must be published.

**ORDER AND DECORUM:**

Individuals or organizations desiring to address the Board shall: 1) Address the Board from the podium. Speakers are encouraged but not required to give their name and city of residence before addressing the Board. Speakers shall direct their comments to the Board, not the audience or staff. 2) Comment on the specific matter before the Board with reasons for the position taken. 3) The Chair may, at his or her discretion, allow up to five (5) minutes for those who are serving as a spokesperson for a group or organization. 4) A speaker may not yield time to another speaker. 5) No individual may speak more than once during the Public Comment period or on an item on the agenda unless recognized by the Chair as having new information. 6) In the interest of civil discourse, the rules specified in this Order and Decorum of Board Business and Robert's Rules of Order, to the extent such Rules are not in conflict with the Brown Act, shall apply at all Board meetings. It shall be the responsibility of the Chair to ensure public comments are conducted in such a manner that avoids disruptive activity, promotes mutual respect, keeps comments focused on issues, and avoids personal attack. 7) Applicants, applicant representatives and appellants desiring to speak shall be permitted to speak first during the public comment portion of a public hearing for not more than ten (10) minutes (or fifteen (15) minutes at Appeal Hearings), unless different rules for conducting the hearing are provided by County code. Time limits may be modified at the Chair of the Board's discretion.

**ORDINANCES:**

- 1) By statute, an ordinance may be passed immediately upon introduction only after notice and a public hearing.
- 2) An urgency ordinance may be passed immediately upon introduction.
- 3) Ordinances shall not be passed within five days of their introduction, nor at other than a regular meeting or at an adjourned regular meeting unless authorized by statute as indicated above. The Board of Supervisors will address ordinances at first readings. The public is urged to address ordinances at first readings; as passage of ordinances will be held at second readings, after reading the title.
- 4) Adoption of the ordinance is made by majority vote.
- 5) The Board reserves the right to amend any proposed ordinances and to hold a first reading in lieu of a second reading. (Gov. Code Section 25131, et seq.)

**INFORMATIONAL CORRESPONDENCE:**

The Board may direct any item of informational correspondence to a department head for appropriate action.

**REFERENCES:**

- Nevada County Resolution 17-084 (Public comment)  
Ralph M. Brown Act, California Government Code Sec. 54950, et. seq. (Open meetings law)  
Nevada County Land Use Code Sec. L-II 5.12 (Appeals)